

Message Text

LIMITED OFFICIAL USE

PAGE 01 QUITO 06394 071916Z

66

ACTION OES-06

INFO OCT-01 ARA-06 ISO-00 EB-07 DLOS-06 SAL-01 L-03 COME-00

CG-00 DOTE-00 /030 W

----- 013059

R 071747Z SEP 76

FM AMEMBASSY QUITO

TO AMEMBASSY BOGOTA

AMEMBASSY GUATEMALA CITY

AMEMBASSY LIMA

AMEMBASSY MEXICO CITY

AMEMBASSY PANAMA

AMEMBASSY SAN SALVADOR

AMEMBASSY SANTIAGO

AMEMBASSY MANAGUA

INFO AMCONSUL GUAYAQUIL

SECSTATE WASHDC 1438

LIMITED OFFICIAL USE QUITO 6394

E.O. 11652: N/A

TAGS: EFIS, EC

SUBJECT: INDIVIDUAL COUNTRIES' PRACTICES RE ISSUANCE OF LICENSES
FOR COMMERCIAL FISHING IN "TERRITORIAL" WATERS

1. AS THE TUNA FISHING SEASON APPROACHES, EMBASSY QUITO IS STUDYING WAYS TO PROTECT AND PROMOTE THE INTERESTS OF AMERICAN FISHERMEN. IN THIS CONNECTION IT WOULD BE VERY USEFUL FOR US TO KNOW HOW THE GOE'S POLICIES AND PRACTICES WITH RESPECT TO LICENSING FOREIGN FISHING BOATS COMPARE WITH THOSE OF THE OTHER LATIN AMERICAN PACIFIC COASTAL STATES WHO CURRENTLY CLAIM A 200 MILE TERRITORIAL SEA OR A 200-MILE ECONOMIC ZONE THAT ASSERTS JURISDICTION OVER ALL COMMERCIAL FISHING.

2. ACTION REQUESTED: THE EMBASSY WOULD BE VERY GRATEFUL IF EACH ADDRESSEE POST WOULD SUPPLY THE FOLLOWING INFORMATION (THE RELEVANT INFORMATION REGARDING ECUADOR IS SHOWN IN PARENTHESES FOR EACH ITEM):

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 QUITO 06394 071916Z

A. PRICE CHARGED TO FOREIGN VESSELS FOR COMMERCIAL FISHING LICENSES. (ECUADOR: US\$60 PER NTE REGISTERED TON OF VESSEL, PAYABLE IN U.S. DOLLARS OR IN EQUIVALENT OTHER FREELY CONVERTIBLE EXCHANGE, OR IN EQUIVALENT ECUADOREAN SUCRES.)

B. DURATION OF VALIDITY OF COMMERCIAL FISHING LICENSE. (ECUADOR: EACH FISHING LICENSE IS VALID FOR THE DURATION OF ONE VOYAGE, WHICH IS DEFINED AS THE TIME ELAPSED BETWEEN THE VESSEL'S DEPARTURE FROM A PORT UNTIL ITS ARRIVAL AT THE SAME OR ANY OTHER PORT FOR THE PURPOSE OF DISPOSING OF THE CARGO ON BOARD, SUBJECT TO THE FOLLOWING SPECIFIC LIMITATIONS REGARDING THE NUMBER OF DAYS ELAPSED FROM THE DATE OF DEPARTURE FROM THE ORIGINAL PORT: 90 DAYS FOR VESSELS THAT OBTAIN LICENSES THROUGH ECUADOREAN CONSULATES IN ASIAN OR EUROPEAN COUNTRIES; 60 DAYS FOR THOSE THAT OBTAIN LICENSES IN NORTH AMERICAN COUNTRIES; 50 DAYS FOR THOSE THAT OBTAIN LICENSES THROUGH ECUADOREAN CONSULATES IN COUNTRIES OF SOUTH OR CENTRAL AMERICA; AND 50 DAYS FOR THOSE THAT OBTAIN LICENSES FROM THE DIRECTORATE GENERAL OF FISHERIES IN THE ECUADOREAN PORT OF GUAYAQUIL.)

C. PROCEDURES FOR OBTAINING COMMERCIAL FISHING LICENSE. (ECUADOR: A LICENSE CAN BE OBTAINED FROM ANY ECUADOREAN CONSULATE OUTSIDE ECUADOR, OR FROM THE DIRECTORATE GENERAL OF FISHERIES IN THE ECUADOREAN PORT OF GUAYAQUIL. A VESSEL WITHOUT A VALID LICENSE MAY, PRIOR TO ENTERING THE ECUADOREAN-CLAIMED 200-MILE ZONE, APPLY BY RADIO FOR PERMISSION TO ENTER THE ZONE; IF AUTHORIZATION IS RECEIVED, THE VESSEL EITHER PROCEEDS TO GUAYAQUIL TO OBTAIN A LICENSE, OR, ARRANGEMENTS CAN BE MADE FOR THE VESSEL'S CONSULAR AUTHORITIES IN ECUADOR TO PAY THE LICENSE FEES, IN WHICH CASE RADIO CONFIRMATION PERMITS THE VESSEL TO COMMENCE FISHING.)

D. LIMITATION, IF ANY, ON SIZE OF FOREIGN COMMERCIAL FISHING VESSELS. (ECUADOR: UNTIL MID-1975, NO LICENSES WERE ISSUED TO VESSELS OVER 600 NET REGISTERED TONS. AT PRESENT THERE IS NO LIMITATION ON SIZE OF VESSELS.)

E. LIMITATION, IF ANY, ON TYPE OR MODE OF FISHING. (ECUADOR: LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 QUITO 06394 071916Z

FOREIGN-FLAG SHRIMP OR LOBSTER FISHING IS PROHIBITED. THE USE OF POISONS, EXPLOSIVES OR OTHER MATERIALS "WHICH MIGHT ENDANGER HUMAN LIFE OR BIOAQUATIC RESOURCES" IS PROHIBITED.)

F. SIZE OF ZONE, IF ANY, RESERVED EXCLUSIVELY FOR DOMESTIC FISHING VESSELS. (ECUADOR: THE FIRST 60 MILES OF THE 200-MILE "TERRITORIAL" ZONE ARE RESERVED EXCLUSIVELY FOR DOMESTIC VESSELS, I.E., LICENSES ISSUED TO U.S. OR OTHER FOREIGN

VESSELS DO NOT PERMIT THEM TO FISH IN THE 60-MILE ZONE.)

G. PENALTIES FOR COMMERCIAL FISHING WITHOUT A VALID LICENSE. (ECUADOR: PAYMENT OF A FINE EQUIVALENT TO DOUBLE THE VALUE OF THE REQUIRED FISHING LICENSE, I.E., DOUBLE THE RATE OF US\$60 PER NET REGISTERED TON OF THE VESSEL; PLUS CONFISCATION OF THE ENTIRE CATCH ON BOARD. IF THE OFFENSE IS REPEATED, THE FINE IS DOUBLED, AND THE CATCH IS AGAIN CONFISCATED. IF THE VESSEL'S CREW RESISTS INSPECTION OR ARREST WHEN APPREHENDED WITHIN THE 200-MILE ZONE, THE FINE MAY BE INCREASED BY UP TO ONE-THIRD. IF THE TOTAL FINE IS NOT PAID WITHIN 15 DAYS FROM THE PASSING OF SENTENCE (SEE H, BELOW), THE VESSEL MAY BE EXPROPRIATED (IN WHICH CASE IT MUST BE SOLD AT AUCTION, WITH THE PROCEEDS GOING TO THE GOE).

H. OTHER RELEVANT POLICIES AND PRACTICES. (ECUADOR: UPON APPREHENDING A FOREIGN-FLAG VESSEL WITHOUT A LICENSE, GOE NAVAL AUTHORITIES BOARD THE VESSEL AND TAKE PHYSICAL POSSESSION OF IT, ITS CREW AND ITS CATCH UNTIL (A) THE CATCH IS UNLOADED, AND (B) A TRIAL HAS BEEN HELD AND, IF THE VESSEL'S MASTER OR OWNER SO CHOOSES, APPEALED--THE ENTIRE JUDICIAL PROCESS NORMALLY IS COMPLETED WITHIN TWO WEEKS FROM ENTRY AT AN ECUADOREAN PORT--AND (C) THE FINE HAS BEEN PAID. THE VESSEL MAY, HOWEVER, BE PERMITTED TO LEAVE THE PORT PRIOR TO COMPLETION OF THE LEGAL PROCEEDINGS IF THE MASTER OR OWNER POSTS A BOND EQUIVALENT TO THE MAXIMUM APPLICABLE FINE.)

3. FOR LIMA: LIMA 0822 COVERS ITEMS A THROUGH D. WE WOULD APPRECIATE UPDATE, IF NECESSARY, OTHERWISE ONLY NEED ITEMS E THROUGH H.
BLOOMFIELD

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, TERRITORIAL WATERS, FISHING INDUSTRY
Control Number: n/a
Copy: SINGLE
Draft Date: 07 SEP 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976QUITO06394
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760338-0806
From: QUITO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760985/aaaacvgd.tel
Line Count: 145
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 15 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 JUL 2004 by ShawDG>; APPROVED <25 OCT 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INDIVIDUAL COUNTRIES' PRACTICES RE ISSUANCE OF LICENSES FOR COMMERCIAL FISHING IN "TERRITORIAL" WATERS
TAGS: EFIS, EC
To: BOGOTA GUATEMALA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006